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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/039,037	01/04/2002	Shannon Jones	005306.P043	2355

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EXAMINER
CHOW, MING

ART UNIT	PAPER NUMBER
2645	

DATE MAILED: 10/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	10/039,037	JONES ET AL.
	Examiner	Art Unit	
	Ming Chow	2645	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>04 January 2002</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-24</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-5,7-15,17-19 and 21-24</u> is/are rejected.

7)☒ Claim(s) <u>6,16 and 20</u> is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

Claim Objections

1.   Claims 2, 11, 12 recite "the processors", "the operations". There is insufficient antecedent basis for this limitation in the claim.

2.   Claim 10 recites "the operation of passing information". There is insufficient antecedent basis for this limitation in the claim.

3.   Claims 11, 13, 16, 17 recite "the operations". There is insufficient antecedent basis for this limitation in the claim.

4.   Claim 14 recites "the ad hoc query", "the plurality of data sets". There is insufficient antecedent basis for this limitation in the claim.

5.   Claim 15 recites "the data received from the enterprise data system", "the current domain", "the operations", "the header data". There is insufficient antecedent basis for this limitation in the claim.

6.   Claim 18 recites "the software modules", "the processors". There is insufficient antecedent basis for this limitation in the claim.

Allowable Subject Matter

7.   Claims 6, 16, 20 are objected to as being dependent upon a rejected base claim, but

would be allowable if rewritten in independent form including all of the limitations of the base

claim and any intervening claims.

The prior art does not teach a voice recognition component as claimed in claim 5, comprises a

voice recognition server and the memory of the voice recognition unit. The voice recognition

unit comprises a voice recognition client that performs submitting voice waveform data from the

voice recognition client to the voice recognition server, converting the voice waveform data into

text, and sending the text data from the voice recognition server to the voice recognition client.

The prior art also does not teach an administrator to define a schedule when data to be pre-

compiled.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the
subject matter which the applicant regards as his invention.

8.   Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing

to particularly point out and distinctly claim the subject matter which applicant regards as the

invention. The term "the processor" (line 14) is not clearly defined. It is unclear the claimed "the

processor" refers to "a processor" (line 4) or "a processor" (line 13).

Also, the phrase "the voice recognition unit to be linked in communication with the voice

recognition unit" is not clearly defined. It is unclear the definition of "a voice recognition unit

links to <u>itself</u>".

Also (including claims 2, 12), the phrase "the software modules" (line 19) is not clearly defined.

It is unclear the claimed "the software modules" refers to "a plurality of software modules" (line

11) or "a plurality of software modules" (line 18).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United
States before the invention thereof by the applicant for patent, or on an international application by another who
has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention
thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999

(AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002

do not apply when the reference is a U.S. patent resulting directly or indirectly from an

international application filed before November 29, 2000. Therefore, the prior art date of the

reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA

35 U.S.C. 102(e)).

9.   Claims 1, 4, 8-10, 12, 14, 17-19, 21 are rejected under 35 U.S.C. 102(e) as being

anticipated by Agnew et al (US: 6950745).

Regarding claim 1, 9, 12, 14, 18, 21, Agnew et al teach on column 3 line 1-12, a mobile

telephone (claimed "a speech processing server") includes a CPU (claimed "a processor") and a

transceiver (claimed "a network interface"). Agnew et al teach on column 3 line 22, a memory.

Agnew et al teach on column 3 line 53, speech recognition circuitry (claimed "a voice

recognition unit") for converting user's query (claimed "ad hoc query"). The speech recognition

must have a processor to perform the conversion of user's query. The call center (including the

speech recognition circuitry) must have a telephony interface to receive the telephone user's

query through a network interface. The speech recognition circuitry must have a memory for

storing software modules to perform the conversion of user's query.

Agnew et al teach on column 3 line 64, receiving a navigation request (claimed "ad hoc

query") from a telephone user (reads on claimed "establish a telephone connection").

Agnew et al teach on column 2 line 50-60, spoken natural language query.

Agnew et al teach on column 3 line 64 to column 4 line 7, calculate the appropriate route from the start location to the end location (reads on claimed "determining query criteria").

Agnew et al teach on column 3 line 66 to column 4 line 3, sending the user's location to the route calculation unit (reads on claimed "sending the query criteria to the enterprise data system").

Agnew et al teach on column 6 line 13-17, driving instructions are transmitted to the user (reads on claimed "receiving data from the enterprise data system based on the query criteria" and "providing feedback data to the user") in speech format (claimed "verbal format").

Regarding claim 4, Agnew et al teach on Fig. 4, the call center (including the "voice recognition unit") must have a module (claimed "client-side module") for accessing the other components shown in Fig. 4.

Regarding claims 7, 17, Agnew et al teach on column 2 line 50-60, column 6 line 18-28, interactions between users and the voice access system.

Regarding claim 8, Agnew et al teach on column 6 line 17, text to speech converter.

Regarding claims 10, 19, Agnew et al teach on items 49, 51 Fig. 4, "road network database" (claimed "object manager") and "traffic database" (claimed "data manager").

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

10.   Claim 2, 11, 13, 22is rejected under 35 U.S.C. 103(a) as being unpatentable over Agnew

et al, and in view of Segal et al (US: 6836651).

   Agnew et al teach on column 3 line 57-59, user preferences database defines each user's

preference. Therefore, each user must be verified.

   Agnew et al failed to teach "authenticating the user using a login process". However,

Segal et al teach on Fig. 2 and Fig. 3, authenticating the telephone user.

   It would have been obvious to one skilled at the time the invention was made to modify

Agnew et al to have the "authenticating the user using a login process" as taught by Segal et al

such that the modified system of Agnew et al would be able to support the system users

conveniences of verifying a user.

11.   Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Agnew et al, in

view of Segal et al, and further in view of Heck (US: 6671672).

The modified system of Agnew et al in view of Segal et al as stated in claim 2 above failed to teach "a local database in which a plurality of unique identifiers and pass-codes are stored". However, Heck teaches on column 4 line 37-39, a database includes voiceprints for authentication.

It would have been obvious to one skilled at the time the invention was made to modify Agnew et al in view of Segal et al to have the "a local database in which a plurality of unique identifiers and pass-codes are stored" as taught by Heck such that the modified system of Agnew et al in view of Segal et al would be able to support the system users conveniences of using a database maintaining the identifiers for authentications.

12.   Claims 5, 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Agnew et al, in view of Cannell et al (US: 6850604).

Agnew et al failed to teach "converts voice waveform data into text data". However, Cannell et al teach on column 6 line 32-34, speech recognition resources converts the speech to data.

It would have been obvious to one skilled at the time the invention was made to modify Agnew et al to have the "converts voice waveform data into text data" as taught by Cannell et al such that the modified system of Agnew et al would be able to support the system users conveniences of converting speech into text.

13.   Claims 23, 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Agnew et al, in view of MeLampy et al (US: 5566236).

Agnew et al failed to teach "reconnecting the user after the call is completed". However.

MeLampy et al teach on column 2 line 31 to column 3 line 62, reconnecting a disconnected

telephone communication.

It would have been obvious to one skilled at the time the invention was made to modify

Agnew et al to have the "reconnecting the user after the call is completed" as taught by

MeLampy et al such that the modified system of Agnew et al would be able to support the

system users conveniences of reestablishing the communication.

Conclusion

14.   The prior art made of record and not replied upon is considered pertinent to applicant's

disclosure.

- US: 5708759.

15.   Any inquiry concerning this application and office action should be directed to the

examiner Ming Chow whose telephone number is (571) 272-7535. The examiner can normally

be reached on Monday through Friday from 8:30 am to 5 pm. If attempts to reach the examiner

by telephone are unsuccessful, the examiner's supervisor, Fan Tsang, can be reached on (571)

272-7547. Any inquiry of a general mature or relating to the status of this application or

proceeding should be directed to the Customer Service whose telephone number is (571) 272-

2600. Any response to this action should be mailed to:
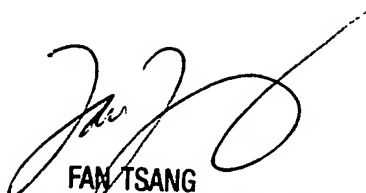
Commissioner of Patents and Trademarks

Washington, D.C. 20231

Or faxed to Central FAX Number 571-273-8300.

Patent Examiner

Art Unit 2645

Ming Chow

FAN TSANG
SUPERVISORY PATENT EXAMINER
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